

GREENWOOD COMMON COUNCIL  
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President Ron Bates called the meeting to order at 7:00 p.m.

The audience recited the Pledge of Allegiance in unison, after which the Rev. Dane Sinn of the Smith Valley Baptist Church offered the invocation.

PRESENT: Council members Bruce Armstrong, Ron Bates, Bill Bless, Ron Deer, John Gibson, Keith Hardin; Clerk-Treasurer Jeannine Myers; and Assistant City Attorney Raynel Berry.  
Mayor Henderson and Council member Jessie Reed were not present.

Mr. Hardin moved to approve the minutes of October 2<sup>nd</sup>, with second by Mr. Bless. Vote: Ayes.

There were no questions from the Council concerning the litigation report from the City Attorney.

Mr. Gibson reported that the Waste Management Board did not have a quorum for their meeting.

For the Plan Commission, Mr. Hardin reported that all but one item was continued – AutoZone's request for an additional curb cut at their new location on U.S. 31 across from K-Mart. Otherwise, they will be widening the entrance at the old Wendy's restaurant.

ORDINANCE No. 06-34 – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 41 Acres Located South of Worthsville Road and East of Conrail Railroad Tracks (commonly known as the Wilcox and Worthsville Road, LLC Property). **FIRST READING AND PUBLIC HEARING POSTPONED UNTIL NOVEMBER 6, 2006 MEETING.**

ORDINANCE No. 06-37 – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 3.16 Acres Located at 399 East County Line Road (commonly known as the Nicley Property). **FIRST READING POSTPONED UNTIL NOVEMBER 20, 2006 MEETING.**

ORDINANCE No. 06-39 – An Ordinance Amending Greenwood Municipal Code (1993), As Amended, Chapter 5, "Parks and Recreation", Article 2, "Park Rules and Regulations", to Add a New Section to Adopt Regulations Limiting Access of Persons Required to and or Listed on the Indiana State Sex Offender Registry to Certain Park Facilities and Playground Areas. Mr. Hardin moved to pass Ordinance No. 06-39 through first reading. Second by Mr. Armstrong. Mr. Armstrong then moved to table Ordinance No. 06-39 pending the litigation in the City of Indianapolis, which this ordinance is modeled after. Second by Mr. Gibson. Vote: Ayes – Armstrong, Bates, Bless, Deer, Gibson; Nay – Hardin. **TABLED.**

ORDINANCE No. 06-40 – An Ordinance Approving Non-Exclusive License Agreement with Indiana Fiber Network LLC for Fiber Optic System. Robert Ramsey of Indiana Fiber Network briefly explained the request to use the City right-of-ways and the reason for a request to suspend the rules. Mr. Bless moved to pass Ordinance No. 06-40 on first reading. Second by Mr. Deer. Vote:

Ayes. **PASSED FIRST READING.** Mr. Gibson then moved to suspend the rules in order to consider second reading. Second by Mr. Armstrong. Vote: Ayes. **RULES SUSPENDED.** Mr. Gibson moved to pass Ordinance No. 06-40 through second reading. Second by Mr. Bless. Vote: Ayes. **ORDINANCE No. 06-40 PASSED SECOND READING.**

ORDINANCE No. 06-22 – An Ordinance Annexing Certain Territory Contiguous to the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 2.523 Acres Located at 3209 West Smith Valley Road, Commonly Known as the Taylor Property. Mr. Deer moved to Ordinance No. 06-22 through second reading. Mr. Gibson seconded. Vote: Ayes. **PASSED SECOND READING.**

RESOLUTION No. 06-25 – A Resolution of the Greenwood Common Council to Adopt the Written Fiscal Plan for the Annexation of Approximately 3.11 Acres Located at 399 E. County Line Road, Referencing Annexation Ordinance No. 06-37. Mr. Bless moved to pass Resolution No. 06-25 on second reading. Second by Mr. Deer. Vote: Ayes. **PASSED SECOND READING.**

ORDINANCE No. 06-35 – An Ordinance Transferring Funds Within the Budget of the Legal Department (\$1,500). Mr. Gibson moved to pass Ordinance No. 06-35 through second reading. Second was by Mr. Armstrong. Vote: Ayes. **PASSED SECOND READING.**

ORDINANCE No. 06-36 – An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled “An Ordinance Establishing Comprehensive Zoning Regulations For the City of Greenwood, Indiana, and Providing for the Administration, Enforcement, and Amendment Thereof, In Accordance With the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana, As Amended, and For the Repeal of All Ordinances in Conflict Herewith” (Proposed Rezoning of approximately 3.16 acres located at 399 E. County Line Road, commonly known as the Nicley Property). Mr. Deer moved to pass Ordinance No. 06-36 on second reading. Second by Mr. Bless. Dr. Ali Dohan, the petitioner, was present. Vote: Ayes. **PASSED SECOND READING.**

ORDINANCE No. 06-38 – An Ordinance Amending the 2006 Salary Ordinance, Common Council Ordinance No. 05-12, Regarding the Board of Public Works and Safety to Increase the Maximum Salaries of Part-Time Code Enforcement Officer and Part-Time Receptionists. Mr. Gibson moved to pass Ordinance No. 06-38 through second reading. Mr. Bless seconded. Vote: Ayes. **PASSED SECOND READING.**

ORDINANCE No. 06-31 – An Ordinance Fixing Salaries of Elected Officials of the City of Greenwood, Indiana For the Year 2007. Mr. Deer moved to pass Ordinance No. 06-31 on second reading. Second by Mr. Gibson. There was discussion on the amendment, which Mr. Armstrong recounted was to take the Council salary from \$11,862 back to \$11,435, where it is currently. As Judge Gregory was not present, Mr. Armstrong moved to postpone this to the next meeting. Mr. Bless seconded. Vote: Ayes. **POSTPONED UNTIL NOVEMBER 6, 2006 MEETING.**

RESOLUTION No. 06-26 – A Resolution Confirming Resolution 06-20, the Declaration of Certain Real Property Improvements for Property Tax Abatement (BD Greenwood Development, LLC). Mr. Bates opened the public hearing. George Able of Duke Realty was present to answer questions. As no one else spoke the public hearing was closed. Mr. Deer moved to pass Resolution No.

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06-26. Second was by Mr. Bless. Vote: Ayes. **RESOLUTION No. 06-26 PASSED.**

ORDINANCE No. 06-41 – An Ordinance Transferring Funds Within the Budget of the Fire Department (\$11,000). **INTRODUCED.**

ORDINANCE No. 06-42 – An Ordinance Amending the 2006 Salary Ordinance, Common Council Ordinance No. 05-12, Regarding the Redevelopment Commission to Increase the Maximum Salary of the Secretary Assistance Position. **INTRODUCED.**

Under miscellaneous business, Mr. Hardin brought a request from the Hunting Creek Subdivision to lower the speed limit from 30 to 20 mph. A petition was signed by roughly 50 residents, he added. A request to reduce the speed to 25 mph was in process when this petition was presented. Mr. Armstrong noted that the City Attorney told him that reducing the speed limit to 25 did not require a warrant study, but below that would require a study. The residents are aware that the speed study might raise the speed limit.

Mr. Armstrong described a request from a constituent on the process to put stickers in front of storm sewers to prevent dumping, which kills fish. Planning Director Ed Ferguson noted that for the past few years, the stormwater and erosion control ordinance, requires that the casting have that information stamped on the pipe. The request came from a fourth-grader at Our Lady of Greenwood and Mr. Ferguson suggested she contact the Engineering Department.

Mr. Deer asked if the recently approved trash and recycling contract was a tonnage contract this year. This will be checked.

Ms. Myers reported that the City had received its share of Major Moves money, which will be in the General Fund.

Stephen Watson, attorney for Redevelopment Commission, spoke on the request to raise the maximum salary of the Commission's recording secretary. On July 11, 2006 he told the Redevelopment Commission that the Salary Ordinance was under consideration and asked what their pleasure was. Mr. Watson explained that the salary had been the same for the past four years and discussed the request to bring the salary in line with recording secretaries of other boards and commissions.

John Powers of 555 Valley Oaks Road discussed safety issues in the subdivision. He recalled that speed limits had been an issue for discussion. Since the streets have been repaired, the trash trucks have been leaving skid marks which he called unacceptable. Tri-axles and semis, said Mr. Powers, are going more than 50 mph on Smith Valley Road coming down the hill, and said his concern is safety. He was told there would be police presence but said he has seen their cars only three times in the nine years he has lived in his home – and added that he is retired. Mr. Hardin suggested that the Sanitation Department contact Republic, our trash hauler, about the marks on the streets and also about starting last Monday prior to 7:00 a.m. Mr. Hardin agreed that more police presence seemed to be called for, and this will be made known. He reminded Mr. Powers that reducing the speed limit to 25 mph would not require a warrant study. He asked Karl Kreck of the Homeowners Association to meet with Mr. Powers and Mr. Armstrong to make up a list of streets. Mr. Armstrong asked that Mr. Kreck be prepared to speak about this with a consensus from the Homeowners Association at the next meeting. Mr. Armstrong and Mr. Hardin inquired as to the status of posting the "No Jake Brakes" sign on Smith Valley

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Road. Mr. Armstrong also noted that the “No Trucks” sign on Sheek Road has been removed and should be put back in place.

Mr. Bates mentioned that the Mayor is speaking at a Hometown Matters meeting with the Mayor of Franklin.

With no further business, the meeting adjourned at 7:45 p.m.

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Ron Bates, President  
Greenwood Common Council

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Jeannine Myers, Clerk-Treasurer